

Tuesday, May 25, 2021

Jamea Walker  
521 Opelousas Street  
Donaldsonville, Louisiana 70346

**Re: Louisiana Board of Ethics  
Docket No. 2021-225**

Dear Ms. Walker:

The Louisiana Board of Ethics ("Board"), at its June 4, 2021 meeting, considered your request for an advisory opinion as to whether the Louisiana Code of Governmental Ethics ("Code") would prohibit you from starting a driving school in Donaldsonville, Louisiana while an employee of the Louisiana Department of Public Safety and Corrections ("DOC").

### **FACTS PROVIDED**

You are employed as a Probation/Parole Officer with the DOC. You supervise convicted felons and assist with their reintegration back into society. You conduct home visits, curfew checks, employment verifications, and drug screens. You also work with the courts and treatment facilities to find treatment and different programs that will aid in the success of the individual you are supervising. You intend to start a driving school in Donaldsonville, Louisiana.

### **LAW**

**La. R.S. 42:1111(C)(1)(a)** prohibits a public servant from receiving any thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated.

**La. R.S. 42:1111(C)(2)(d)** provides that no public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are: (d) Neither performed for nor compensated by any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency; conducts operations or activities which are regulated by the

public employee's agency; or has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

**La. R.S. 42:1116** provides that no public servant shall use the authority of his office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to provide himself, or other person with anything of economic value.

### **CONCLUSION**

The Board concluded, and instructed me to inform you, that based on the facts presented, the Code would not prohibit you from starting a driving school. Owning and operating a driving school would not be prohibited under La. R.S. 42:1111(C)(1)(a) because you would not be "receiving any thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated." The Code would prohibit parolees and probationers that you supervise from attending your driving school. Lastly, avoid appearing to compel or coerce coworkers, parolees, and probationers to attend your driving school.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Louisiana Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Louisiana Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and the conflict of interest provisions contained in the Louisiana Gaming Control Law. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

---

LaToya D. Jordan  
For the Board